

ASSEMBLY BILL

No. 2360

Introduced by Assembly Member Alejo

February 18, 2016

An act to amend Section 22454 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2360, as introduced, Alejo. School buses: passing violations: automated video enforcement.

Existing law requires the driver of any vehicle, upon meeting or overtaking any schoolbus equipped with required signs that is stopped for the purpose of loading or unloading any schoolchildren and displaying a flashing red light signal and stop signal arm, if equipped with a stop signal arm, to bring the vehicle to a stop immediately before passing the schoolbus and to not proceed past the schoolbus until the flashing red light signal and stop signal arm cease operation. A violation of these provisions is a crime.

This bill would authorize a school district to install and operate an automated schoolbus video enforcement system, as defined, for the purpose of enforcing the violation described above. The bill would require the county to transfer to the school district, on a monthly basis, the base fines paid for violations of the provisions described above when the violation was captured by the automated schoolbus video enforcement system and the image or video was used to convict the offender.

By imposing additional duties on local governments, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22454 of the Vehicle Code is amended
2 to read:
3 22454. (a) The driver of any vehicle, upon meeting or
4 overtaking, from either direction, any schoolbus equipped with
5 signs as required in this code, that is stopped for the purpose of
6 loading or unloading any schoolchildren and displays a flashing
7 red light signal and stop signal arm, as defined in paragraph (4) of
8 subdivision (b) of Section 25257, if equipped with a stop signal
9 arm, visible from front or rear, shall bring the vehicle to a stop
10 immediately before passing the schoolbus and shall not proceed
11 past the schoolbus until the flashing red light signal and stop signal
12 arm, if equipped with a stop signal arm, cease operation.
13 (b) (1) The driver of a vehicle upon a divided highway or
14 multiple-lane highway need not stop upon meeting or passing a
15 schoolbus that is upon the other roadway.
16 (2) For the purposes of this subdivision, a multiple-lane highway
17 is any highway that has two or more lanes of travel in each
18 direction.
19 (c) (1) If a vehicle was observed overtaking a schoolbus in
20 violation of subdivision (a), and the driver of the schoolbus
21 witnessed the violation, the driver may, within 24 hours, report
22 the violation and furnish the vehicle license plate number and
23 description and the time and place of the violation to the local law
24 enforcement agency having jurisdiction of the offense. That law
25 enforcement agency shall issue a letter of warning prepared in
26 accordance with paragraph (2) with respect to the alleged violation
27 to the registered owner of the vehicle. The issuance of a warning
28 letter under this paragraph shall not be entered on the driving record

1 of the person to whom it is issued, but does not preclude the
2 imposition of any other applicable penalty.

3 (2) The Attorney General shall prepare and furnish to every law
4 enforcement agency in the state a form letter for purposes of
5 paragraph (1), and the law enforcement agency may issue those
6 letters in the exact form prepared by the Attorney General. The
7 Attorney General may charge a fee to any law enforcement agency
8 that requests a copy of the form letter to recover the costs of
9 preparing and providing that copy.

10 (d) (1) *Notwithstanding subdivision (c), in addition to any other*
11 *monitoring devices lawfully authorized to be installed in or on a*
12 *schoolbus, a school district is authorized to install and operate an*
13 *automated schoolbus video enforcement system for the purpose of*
14 *enforcing violations of subdivision (a).*

15 (2) *For purposes of this section, an “automated schoolbus video*
16 *enforcement system” means a camera system that monitors and*
17 *records motor vehicles overtaking or passing a schoolbus when*
18 *the schoolbus is stopped and displaying a flashing red signal*
19 *system and a stop signal arm, if equipped with a stop signal arm.*

20 (e) *The county shall transfer, monthly, to the school district*
21 *whose schoolbus was involved in the violation, any base fine paid*
22 *for a violation of subdivision (a) when the violation was captured*
23 *by an automated schoolbus video enforcement system and the*
24 *image or video was used to convict the offender.*

25 ~~(d)~~

26 (f) This section also applies to a roadway upon private property.

27 SEC. 2. If the Commission on State Mandates determines that
28 this act contains costs mandated by the state, reimbursement to
29 local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.